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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,649	01/27/2004	Younger Ahluwalia	03398.000006.	4007

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FITZPATRICK CELLA HARPER & SCINTO
1290 Avenue of the Americas
NEW YORK, NY 10104-3800

EXAMINER

CHANG, VICTOR S

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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09/25/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YOUNGER AHLUWALIA,
MATTI KIIK and THOMAS D. KAROL

Appeal No. 2009-013892
Application No. 10/766,649
Technology Center 1700

Mailed: September 25, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*.

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 10, 2009. A docketing notice assigning Appeal Number 2009-013892 was mailed on August 13, 2009.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief and Request for Oral Hearing were filed in this application on June 25, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner:

- 1) to consider the Reply Brief filed June 25, 2009, as indicated above;
- and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS:psb

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